

**Executive Summary – Enforcement Matter – Case No. 41247**  
**Huntsman Petrochemical LLC**  
**RN100219252**  
**Docket No. 2011-0358-AIR-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

AIR

**Small Business:**

No

**Location(s) Where Violation(s) Occurred:**

Huntsman Port Neches, 6001 Highway 366, Port Neches, Jefferson County

**Type of Operation:**

Petrochemical plant

**Other Significant Matters:**

Additional Pending Enforcement Actions: Yes, Docket Nos. 2010-2023-AIR-E, 2010-1929-AIR-E, 2010-1661-AIR-E, and 2010-1422-AIR-E.

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** May 20, 2011

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$20,000

**Amount Deferred for Expedited Settlement:** \$4,000

**Amount Deferred for Financial Inability to Pay:** \$0

**Total Paid to General Revenue:** \$8,000

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**SEP Conditional Offset:** \$8,000

Name of SEP: Texas Air Research Center - Flare Minimization and Air Quality Modeling

**Compliance History Classifications:**

Person/CN - Average

Site/RN - Average

**Major Source:** Yes

**Statutory Limit Adjustment:** Statutory Maximum Limit Adjustment \$3,475

**Applicable Penalty Policy:** September 2002

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**RN100219252**  
**Docket No. 2011-0358-AIR-E**

***Investigation Information***

**Complaint Date(s):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** December 17, 2010 and January 5, 2011

**Date(s) of NOE(s):** February 14, 2011

***Violation Information***

1. Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 121 pounds ("lbs") of the volatile organic compound ("VOC") ethylene and 9 lbs of ethylene glycol were released from the F4 Incinerator Waste Gas Vent and 26 lbs of ethylene oxide were released from the F4 Reabsorber Vent in the F4 Ethylene Oxide Unit when an operator closed the valves that send material from the reabsorber to the refining column to 18% instead of 35% resulting in an avoidable emissions event (Incident No. 144824) that occurred on September 14, 2010 and lasted 22 minutes. Since this event could have been avoided by better operational practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), Federal Operating Permit No. O-01320, Special Conditions No. 15, New Source Review Permit No. 5972A, Special Conditions No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 1,286.94 lbs of the VOC ethylene and 43.75 lbs of carbon monoxide were released from Flare 3, Emissions Point Number UER037, in the A3 Ethylene Unit when house console operators mistakenly shut down Boiler HK-003 while attempting to bring Boiler HK-004 on-line resulting in an avoidable emissions event (Incident No. 148053) that occurred on December 1, 2010 and lasted one hour and 50 minutes. Since this event could have been avoided by better operational practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), Federal Operating Permit No. O-02288, Special Conditions No. 19, New Source Review Permit No. 19823, Special Conditions No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:

a. By October 14, 2010, in order to prevent recurrence of incidents due to the same causes as those that caused Incident No. 144824:

i. Updated operating procedures to manually control the set point on the Low Recycle Flow Reabsorber Vent Trip so that it trips at a higher level; and

**Executive Summary – Enforcement Matter – Case No. 41247**  
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**RN100219252**  
**Docket No. 2011-0358-AIR-E**

ii. Implemented split range level control on the reabsorber bottoms and synchronized the return wash water flow before the purification system is restarted.

b. By February 23, 2011, in order to prevent recurrence of incidents due to the same causes as those that caused Incident No. 148053:

i. Modified the Distributed Control System logic to change the boiler feed water auto start strategy to 90% of the boiler feed water controller output;

ii. Modified the calculation blocks to show the boiler feed water pump capabilities which, in turn, more accurately reflects the spare capacity; and

iii. Refurbished and calibrated the boiler feed water valve for full stroke.

**Technical Requirements:**

The Order will require the Respondent to implement and complete a Supplemental Environmental Project ("SEP"). (See SEP Attachment A)

***Litigation Information***

**Date Petition(s) Filed:** N/A

**Date Answer(s) Filed:** N/A

**SOAH Referral Date:** N/A

**Hearing Date(s):** N/A

**Settlement Date:** N/A

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Trina Grieco, Enforcement Division, Enforcement Team 5, MC R-13, (210) 403-4006; Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495

**TCEQ SEP Coordinator:** Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732

**Respondent:** Jordan Morgan, Director of Manufacturing, Huntsman Petrochemical LLC, P.O. Box 847, Port Neches, Texas 77651-0847

**Respondent's Attorney:** N/A

**Attachment A**  
**Docket Number: 2011-0358-AIR-E**

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>Huntsman Petrochemical LLC</b>
<b>Penalty Amount:</b>	<b>Sixteen Thousand Dollars (\$16,000)</b>
<b>SEP Offset Amount:</b>	<b>Eight Thousand Dollars (\$8,000)</b>
<b>Type of SEP:</b>	<b>Contribution to Pre- Approved SEP</b>
<b>Third-Party Recipient:</b>	<b>Texas Air Research Center</b>
<b>Project Name:</b>	<b>Flare Minimization and Air Quality Modeling</b>
<b>Location of SEP:</b>	<b>Jefferson County</b>

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

**1. Project Description**

**A. Project**

Respondent shall contribute the SEP Offset Amount to the Third-Party Recipient named above. The contribution will be to **Texas Air Research Center** for the *Flare Minimization and Air Quality Modeling* project. The contribution will be used in accordance with the Supplemental Environmental Project executed on October 30, 2009, between the Third-Party Recipient and the TCEQ (the "Project"). Specifically, the SEP Offset Amount will be used for advanced modeling involving utilizing optimization and plant-wide dynamic simulation to cause reductions in flaring during turnaround operations at industrial facilities. Flaring during turnaround operations (startups and shutdowns) at industrial facilities is a substantial source of both volatile organic compounds (VOCs) and highly reactive volatile organic compounds (HRVOCs), and flaring results in considerable loss of energy and resources. Reductions in VOC and HRVOC emissions are expected to occur primarily through reducing the duration of turnarounds and through recycling or reuse of materials that would otherwise be flared.

All dollars contributed will be used solely for the direct cost of the Project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

Respondent's signature affixed to this Agreed Order certifies that it has no prior commitment to make this contribution and that it is being contributed solely in an effort

to settle this enforcement action. Respondent shall not profit in any manner from this SEP.

**B. Environmental Benefit**

This SEP will directly benefit the environment by reducing emissions into the airshed, thereby improving air quality for the community. This SEP will indirectly benefit the environment by conserving energy and resources through reuse and recycling. The SEP will provide information regarding potential viable air emission reductions strategies that will result in improvement of air quality. This SEP will also provide scientific insights regarding how emissions and meteorological conditions affect the air quality in the airshed.

**C. Minimum Expenditure**

Respondent shall contribute at least the SEP Offset Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

**2. Performance Schedule**

Within 30 days after the effective date of this Agreed Order, Respondent must contribute the SEP Offset Amount to the Third-Party Recipient. Respondent shall mail a copy of the Agreed Order with the contribution to:

Texas Air Research Center at Lamar University  
Attention: George Talbert, Director  
P.O. Box 10613  
Beaumont, Texas 77710

**3. Records and Reporting**

Concurrent with the payment of the SEP Offset Amount, Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Recipient. Respondent shall mail a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality  
Enforcement Division  
Attention: SEP Coordinator, MC 219  
P.O. Box 13087  
Austin, Texas 78711-3087

**4. Failure to Fully Perform**

If Respondent does not perform its obligations under this SEP in any way, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the Executive Director ("ED") may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that Respondent failed to complete the project, Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and shall include on the check the docket number of this Agreed Order and a note that it is for reimbursement of a SEP. Respondent shall make the check payable to "Texas Commission on Environmental Quality" and shall mail it to:

Texas Commission on Environmental Quality  
Litigation Division  
Attention: SEP Coordinator, MC 175  
P.O. Box 13087  
Austin, Texas 78711-3087

**5. Publicity**

Any public statements concerning this SEP and/or project, made by or on behalf of Respondent must include a clear statement that **the project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

**6. Clean Texas Program**

Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

**7. Other SEPs by TCEQ or Other Agencies**

The SEP Offset Amount identified in this Agreed Order has not been, and shall not be, included as a SEP for Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

**TCEQ**

<b>DATES</b>	<b>Assigned</b>	22-Feb-2011	<b>Screening</b>	1-Mar-2011	<b>EPA Due</b>	11-Nov-2011
	<b>PCW</b>	1-Mar-2011				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	Huntsman Petrochemical LLC		
<b>Reg. Ent. Ref. No.</b>	RN100219252		
<b>Facility/Site Region</b>	10-Beaumont	<b>Major/Minor Source</b>	Major

## CASE INFORMATION

<b>Enf./Case ID No.</b>	41247	<b>No. of Violations</b>	2
<b>Docket No.</b>	2011-0358-AIR-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Trina Grleco
		<b>EC's Team</b>	Enforcement Team 5
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$10,000

## Penalty Calculation Section

**TOTAL BASE PENALTY (Sum of violation base penalties)** **Subtotal 1** **\$5,000**

## ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

**Compliance History** **387.0%** Enhancement **Subtotals 2, 3, & 7** **\$19,350**

Notes: Enhancement for 12 NOVs with same/similar violations, 12 NOVs with dissimilar violations, seven orders with denial of liability, and seven orders without denial of liability. Penalty reduction due to six Notice of Audit letters submitted and three disclosures of violation.

**Culpability** **No** **0.0%** Enhancement **Subtotal 4** **\$0**

Notes: The Respondent does not meet the culpability criteria.

**Good Faith Effort to Comply Total Adjustments** **Subtotal 5** **\$875**

**Economic Benefit** **0.0%** Enhancement\* **Subtotal 6** **\$0**

Total EB Amounts \$41  
Approx. Cost of Compliance \$4,500  
\*Capped at the Total EB \$ Amount

**SUM OF SUBTOTALS 1-7** **Final Subtotal** **\$23,475**

**OTHER FACTORS AS JUSTICE MAY REQUIRE** **0.0%** **Adjustment** **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

**Final Penalty Amount** **\$23,475**

**STATUTORY LIMIT ADJUSTMENT** **Final Assessed Penalty** **\$20,000**

**DEFERRAL** **20.0%** Reduction **Adjustment** **-\$4,000**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral offered for expedited settlement.

**PAYABLE PENALTY** **\$16,000**

Screening Date 1-Mar-2011

Docket No. 2011-0358-AIR-E

PCW

Respondent Huntsman Petrochemical LLC

Policy Revision 2 (September 2002)

Case ID No. 41247

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100219252

Media [Statute] Air

Enf. Coordinator Trina Grieco

## Compliance History Worksheet

## &gt;&gt; Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	12	60%
	Other written NOVs	12	24%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	7	140%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	7	175%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgements or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an Intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	6	-6%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	3	-6%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 387%

## &gt;&gt; Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

## &gt;&gt; Compliance History Summary

**Compliance History Notes** Enhancement for 12 NOVs with same/similar violations, 12 NOVs with dissimilar violations, seven orders with denial of liability, and seven orders without denial of liability. Penalty reduction due to six Notice of Audit letters submitted and three disclosures of violation.

Total Adjustment Percentage (Subtotals 2, 3, &amp; 7) 387%



Screening Date 1-Mar-2011

Docket No. 2011-0358-AIR-E

PCW

Respondent Huntsman Petrochemical LLC

Policy Revision 2 (September 2002)

Case ID No. 41247

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100219252

Media [Statute] Air

Enf. Coordinator Trina Grieco

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), Federal Operating Permit No. O-01320, Special Conditions No. 15, New Source Review Permit No. 5972A, Special Conditions No. 1, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 121 pounds ("lbs") of the volatile organic compound ("VOC") ethylene and 9 lbs of ethylene glycol were released from the F4 Incinerator Waste Gas Vent and 26 lbs of ethylene oxide were released from the F4 Reabsorber Vent in the F4 Ethylene Oxide Unit when an operator closed the valves that send material from the reabsorber to the refining column to 18% instead of 35% resulting in an avoidable emissions event (Incident No. 144824) that occurred on September 14, 2010 and lasted 22 minutes. Since this event could have been avoided by better operational practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty \$10,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 25%

## &gt;&gt; Programmatic Matrix

Falsification			
	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of contaminants that did not exceed protective levels as a result of the violation.

Adjustment \$7,500

\$2,500

## Violation Events

Number of Violation Events 1

Number of violation days 1

mark only one with an x

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty \$2,500

One quarterly event is recommended.

## Good Faith Efforts to Comply

25.0% Reduction

\$625

Extraordinary

Ordinary

N/A

Notes

Before NOV NOV to EDRP/Settlement Offer

X	

(mark with x)

The Respondent completed corrective actions on October 14, 2010, prior to the February 14, 2011 NOE date.

Violation Subtotal \$1,875

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$6

Violation Final Penalty Total \$11,550

This violation Final Assessed Penalty (adjusted for limits) \$10,000

# Economic Benefit Worksheet

**Respondent** Huntsman Petrochemical LLC  
**Case ID No.** 41247  
**Reg. Ent. Reference No.** RN100219252  
**Media** Air  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	14-Sep-2010	14-Oct-2010	0.08	\$6	n/a	\$6

Notes for DELAYED costs

Estimated expense to update operating procedures to manually control the set point on the Low Recycle Flow Reabsorber Vent Trip so that it trips at a higher level, to implement split range level control on the reabsorber bottoms, and synchronize the return wash water flow before the purification system is restarted. The date required is the date of the event and the final date is the date corrective actions were completed.

## Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$6

Screening Date 1-Mar-2011

Docket No. 2011-0358-AIR-E

PCW

Respondent Huntsman Petrochemical LLC

Policy Revision 2 (September 2002)

Case ID No. 41247

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100219252

Media [Statute] Air

Enf. Coordinator Trlna Grleco

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c) and 122.143(4), Federal Operating Permit No. O-02288, Special Conditions No. 19, New Source Review Permit No. 19823, Special Conditions No. 1, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, unauthorized emissions of 1,286.94 lbs of the VOC ethylene and 43.75 lbs of carbon monoxide were released from Flare 3, Emissions Point Number UER037, in the A3 Ethylene Unit when house console operators mistakenly shut down Boiler HK-003 while attempting to bring Boiler HK-004 on-line resulting in an avoidable emissions event (Incident No. 148053) that occurred on December 1, 2010 and lasted one hour and 50 minutes. Since this event could have been avoided by better operational practices, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty \$10,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

## &gt;&gt; Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of contaminants that did not exceed protective levels as a result of the violation.

Adjustment \$7,500

\$2,500

## Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one  
with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$2,500

One quarterly event is recommended.

## Good Faith Efforts to Comply

10.0% Reduction

\$250

Extraordinary

Ordinary

N/A

Before NOV	NOV to EDPRP/Settlement Offer
	x
	(mark with x)

The Respondent completed corrective actions on February 23, 2011, after the February 14, 2011 NOE date and prior to the settlement offer.

Violation Subtotal \$2,250

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$35

Violation Final Penalty Total \$11,925

This violation Final Assessed Penalty (adjusted for limits) \$10,000

# Economic Benefit Worksheet

**Respondent** Huntsman Petrochemical LLC

**Case ID No.** 41247

**Reg. Ent. Reference No.** RN100219252

**Media** Air

**Violation No.** 2

Percent Interest	Years of Depreciation
5.0	15

Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description No commas or \$						

## Delayed Costs

Equipment			0.00	\$0	\$0	\$0
Buildings			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0
Engineering/construction			0.00	\$0	\$0	\$0
Land			0.00	\$0	n/a	\$0
Record Keeping System			0.00	\$0	n/a	\$0
Training/Sampling			0.00	\$0	n/a	\$0
Remediation/Disposal			0.00	\$0	n/a	\$0
Permit Costs			0.00	\$0	n/a	\$0
Other (as needed)	\$3,000	1-Dec-2010	23-Feb-2011	0.23	\$35	\$35

### Notes for DELAYED costs

Estimated expense to modify the Distributed Control System logic to change the boiler feed water auto start strategy to 90% of the boiler feed water controller output, modify the calculation blocks to show the boiler feed water pump capabilities, and refurbish and calibrate the boiler feed water valve for full stroke. The date required is the date of the event and the final date is the date corrective actions were completed.

## Avoided Costs

### ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal			0.00	\$0	\$0	\$0
Personnel			0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling			0.00	\$0	\$0	\$0
Supplies/equipment			0.00	\$0	\$0	\$0
Financial Assurance [2]			0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0

### Notes for AVOIDED costs

Approx. Cost of Compliance

\$3,000

TOTAL

\$35

# Compliance History

Customer/Respondent/Owner-Operator:

CN603603093

Huntsman Petrochemical LLC

Classification: AVERAGE

Rating: 9.61

Regulated Entity:

RN100219252

HUNTSMAN PORT NECHES

Classification: AVERAGE

Site Rating: 26.24

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	JE0052V
AIR OPERATING PERMITS	PERMIT	1320
AIR OPERATING PERMITS	PERMIT	2286
AIR OPERATING PERMITS	PERMIT	2287
AIR OPERATING PERMITS	PERMIT	2288
AIR OPERATING PERMITS	PERMIT	1327
AIR OPERATING PERMITS	PERMIT	3056
POLLUTION PREVENTION PLANNING	ID NUMBER	P00679
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	35486
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	40711
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	79935
AIR NEW SOURCE PERMITS	AFS NUM	4824500006
AIR NEW SOURCE PERMITS	REGISTRATION	93667
AIR NEW SOURCE PERMITS	REGISTRATION	94579
AIR NEW SOURCE PERMITS	REGISTRATION	92256
AIR NEW SOURCE PERMITS	REGISTRATION	91597
AIR NEW SOURCE PERMITS	PERMIT	PSDTX780
AIR NEW SOURCE PERMITS	REGISTRATION	91994
AIR NEW SOURCE PERMITS	REGISTRATION	91725
AIR NEW SOURCE PERMITS	PERMIT	29516
AIR NEW SOURCE PERMITS	REGISTRATION	51736
AIR NEW SOURCE PERMITS	REGISTRATION	52715
AIR NEW SOURCE PERMITS	REGISTRATION	54551
AIR NEW SOURCE PERMITS	REGISTRATION	54565
AIR NEW SOURCE PERMITS	REGISTRATION	44034
AIR NEW SOURCE PERMITS	REGISTRATION	44434
AIR NEW SOURCE PERMITS	REGISTRATION	45090
AIR NEW SOURCE PERMITS	REGISTRATION	45094
AIR NEW SOURCE PERMITS	REGISTRATION	45277
AIR NEW SOURCE PERMITS	REGISTRATION	46791
AIR NEW SOURCE PERMITS	REGISTRATION	47065
AIR NEW SOURCE PERMITS	REGISTRATION	47066
AIR NEW SOURCE PERMITS	REGISTRATION	47555
AIR NEW SOURCE PERMITS	REGISTRATION	47577
AIR NEW SOURCE PERMITS	REGISTRATION	47887
AIR NEW SOURCE PERMITS	REGISTRATION	48178
AIR NEW SOURCE PERMITS	REGISTRATION	48176
AIR NEW SOURCE PERMITS	PERMIT	49247
AIR NEW SOURCE PERMITS	REGISTRATION	49493
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE0052V
AIR NEW SOURCE PERMITS	PERMIT	647B
AIR NEW SOURCE PERMITS	PERMIT	5807A
AIR NEW SOURCE PERMITS	PERMIT	5952A
AIR NEW SOURCE PERMITS	PERMIT	5972A
AIR NEW SOURCE PERMITS	PERMIT	7761
AIR NEW SOURCE PERMITS	PERMIT	16909

AIR NEW SOURCE PERMITS	PERMIT	19823
AIR NEW SOURCE PERMITS	PERMIT	20134
AIR NEW SOURCE PERMITS	PERMIT	20160
AIR NEW SOURCE PERMITS	REGISTRATION	23568
AIR NEW SOURCE PERMITS	REGISTRATION	31443
AIR NEW SOURCE PERMITS	PERMIT	36646
AIR NEW SOURCE PERMITS	REGISTRATION	36453
AIR NEW SOURCE PERMITS	REGISTRATION	39725
AIR NEW SOURCE PERMITS	REGISTRATION	40103
AIR NEW SOURCE PERMITS	REGISTRATION	40527
AIR NEW SOURCE PERMITS	REGISTRATION	41444
AIR NEW SOURCE PERMITS	REGISTRATION	41301
AIR NEW SOURCE PERMITS	REGISTRATION	41757
AIR NEW SOURCE PERMITS	REGISTRATION	42103
AIR NEW SOURCE PERMITS	REGISTRATION	42153
AIR NEW SOURCE PERMITS	REGISTRATION	42154
AIR NEW SOURCE PERMITS	REGISTRATION	75754
AIR NEW SOURCE PERMITS	REGISTRATION	75597
AIR NEW SOURCE PERMITS	REGISTRATION	76018
AIR NEW SOURCE PERMITS	REGISTRATION	75748
AIR NEW SOURCE PERMITS	PERMIT	83816
AIR NEW SOURCE PERMITS	REGISTRATION	55753
AIR NEW SOURCE PERMITS	REGISTRATION	70024
AIR NEW SOURCE PERMITS	REGISTRATION	56737
AIR NEW SOURCE PERMITS	PERMIT	56390
AIR NEW SOURCE PERMITS	REGISTRATION	56243
AIR NEW SOURCE PERMITS	REGISTRATION	70571
AIR NEW SOURCE PERMITS	REGISTRATION	70781
AIR NEW SOURCE PERMITS	REGISTRATION	71506
AIR NEW SOURCE PERMITS	REGISTRATION	70726
AIR NEW SOURCE PERMITS	REGISTRATION	53551
AIR NEW SOURCE PERMITS	REGISTRATION	56077
AIR NEW SOURCE PERMITS	REGISTRATION	56073
AIR NEW SOURCE PERMITS	REGISTRATION	70011
AIR NEW SOURCE PERMITS	REGISTRATION	54219
AIR NEW SOURCE PERMITS	REGISTRATION	53979
AIR NEW SOURCE PERMITS	REGISTRATION	72310
AIR NEW SOURCE PERMITS	REGISTRATION	54231
AIR NEW SOURCE PERMITS	REGISTRATION	54570
AIR NEW SOURCE PERMITS	REGISTRATION	54234
AIR NEW SOURCE PERMITS	REGISTRATION	71751
AIR NEW SOURCE PERMITS	REGISTRATION	52077
AIR NEW SOURCE PERMITS	REGISTRATION	50360
AIR NEW SOURCE PERMITS	REGISTRATION	73927
AIR NEW SOURCE PERMITS	REGISTRATION	73665
AIR NEW SOURCE PERMITS	REGISTRATION	73663
AIR NEW SOURCE PERMITS	REGISTRATION	72907
AIR NEW SOURCE PERMITS	REGISTRATION	73956
AIR NEW SOURCE PERMITS	REGISTRATION	74236
AIR NEW SOURCE PERMITS	REGISTRATION	74362
AIR NEW SOURCE PERMITS	REGISTRATION	74296
AIR NEW SOURCE PERMITS	REGISTRATION	74838
AIR NEW SOURCE PERMITS	REGISTRATION	75203
AIR NEW SOURCE PERMITS	REGISTRATION	75202
AIR NEW SOURCE PERMITS	REGISTRATION	74849

AIR NEW SOURCE PERMITS	REGISTRATION	76732
AIR NEW SOURCE PERMITS	REGISTRATION	77129
AIR NEW SOURCE PERMITS	REGISTRATION	77327
AIR NEW SOURCE PERMITS	REGISTRATION	79296
AIR NEW SOURCE PERMITS	REGISTRATION	78974
AIR NEW SOURCE PERMITS	REGISTRATION	79800
AIR NEW SOURCE PERMITS	REGISTRATION	79529
AIR NEW SOURCE PERMITS	REGISTRATION	80149
AIR NEW SOURCE PERMITS	REGISTRATION	80390
AIR NEW SOURCE PERMITS	REGISTRATION	79939
AIR NEW SOURCE PERMITS	REGISTRATION	80702
AIR NEW SOURCE PERMITS	REGISTRATION	81531
AIR NEW SOURCE PERMITS	REGISTRATION	81415
AIR NEW SOURCE PERMITS	REGISTRATION	83113
AIR NEW SOURCE PERMITS	REGISTRATION	84374
AIR NEW SOURCE PERMITS	REGISTRATION	84617
AIR NEW SOURCE PERMITS	REGISTRATION	91161
AIR NEW SOURCE PERMITS	REGISTRATION	94912
AIR NEW SOURCE PERMITS	REGISTRATION	87829
AIR NEW SOURCE PERMITS	REGISTRATION	87062
AIR NEW SOURCE PERMITS	REGISTRATION	82488
AIR NEW SOURCE PERMITS	REGISTRATION	84694
AIR NEW SOURCE PERMITS	REGISTRATION	82922
AIR NEW SOURCE PERMITS	REGISTRATION	84519
AIR NEW SOURCE PERMITS	REGISTRATION	88268
INDUSTRIAL AND HAZARDOUS WASTE	PERMIT	50055
INDUSTRIAL AND HAZARDOUS WASTE	PERMIT	50363
INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD008076846
INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	30029
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30029
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	JE0052V

Location: 6001 HIGHWAY 366, PORT NECHES, TX, 77651

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: February 25, 2011

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: February 25, 2006 to February 25, 2011

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Trina Grieco Phone: (210) 403-4006

#### Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s)? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2010 Repeat Violator: NO

**Components (Multimedia) for the Site :**

A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.

N/A Effective Date: 08/20/2006

ADMINORDER 2006-0107-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 5952A SC 1 PA

Description: Failure to maintain an emission rate below the allowable emissions limit.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly notify the Beaumont Region Office of a reportable emissions event for Incident 69694.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19823, SPECIAL CONDITION 1 PERMIT

Description: Failure to prevent ethylene emissions during Incident 69694.

Effective Date: 09/21/2006

ADMINORDER 2006-0399-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 16909 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 PERMIT  
O-01327 OP

Description: Failure to meet the minimum net heating value requirement during the compliance test conducted on June 8, 2005, which should be greater than 11.2MJ/scm. Results of the compliance test show a minimum net heating value of 10.23MJ/scm.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 5952A, SC 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to report an emissions event within 24 hours after discovery.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 16909/ Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Effective Date: 12/02/2006

ADMINORDER 2005-0926-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 PERMIT

Description: Failure to maintain VOC limit less than 2.0 ppmw in C4 Cooling Tower.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 PERMIT



Description: Failure to maintain an emission rate below the allowable limit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 647B/MAERT PERMIT

Description: Failure to prevent unauthorized ammonia emissions from the E7 Cooling Tower. A8c2Ali

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.110  
30 TAC Chapter 113, SubChapter C 113.730  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT PPP 63.1435(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to conduct HON sampling and analysis following an approved method.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20160 PERMIT

Description: Failure to repair leaking exchanger in the PO/MTBE cooling water system during unit shutdown.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event at 1:00 p.m. on September 16, 2003 at the MTBE Drying Column Overhead Line.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 20160/General Condition 8 PERMIT

Description: Failed to prevent unauthorized emissions of 479.5 lbs of Dimethyl Ether, 8631.6 lbs of Isobutylene and 479.5 lbs of Methyl Formate from the MTBE Drying Column Overhead Line on September 16, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1322/SC17 OP  
20160/GC 8 PERMIT

Description: Failed to prevent unauthorized emissions of 15 lbs of Ethylene Glycol, 699 lbs of Tert Butanol and 854 lbs of Tert Butyl Hydroperoxide from the Tertiary Butyl Alcohol (TBHP) Feed Header on January 11, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20160, GC8 PERMIT  
O-01322, SC17 OP

Description: Failed to prevent unauthorized emissions of 745 lbs of Tert Butanol from Tank 007, the TBA Day Tank (EPN POTK007) on February 23, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1322/SC 17 OP  
5972A/SC 1 PERMIT

Description: Failed to prevent unauthorized emissions of 67 lbs of ethylene oxide from the F-P-137 Ethylene Oxide Rundown on August 25, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: 5952A, SC1 PERMIT  
Description: Failed to prevent unauthorized emissions of VOCs of 303 lbs on December 10, 2003, 98 lbs December 13, 2003, 432 lbs January 1, 2004, 394 lbs January 15, 2004, 547 lbs February 17, 2004, and 167 lbs on February 28, 2004 from the F-F-6 Regenerator Vent.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Rqmt Prov: 5952/ SC 1 PERMIT  
Description: Failed to prevent unauthorized emissions of 595 lbs of Ethylene and 44 lbs of Ethylene Glycol from the Regenerator Flash Drum Vent on November 22, 2003.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)  
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event on August 23, 2003 at the F-4 Regenerator (EPN F4FF135).  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: 19823, SC1 PERMIT  
20160, GC8 PERMIT  
5972A, SC1 PERMIT  
O-01322, SC17 OP  
Description: Failed to prevent unauthorized emissions on August 23, 2003 of 1) 5304 lbs of VOC from the PO/MTBE Unit, and 2073 lbs of CO and 251 lbs of NOx from the F5 Unit of the PO/MTBE Plant to the PO/MTBE Flare (EPN POFLARE), and 2) 221 lbs of Ethylene from the Regen/Reabsorb Vent at the F4 Regenerator (EPN F4FF135).  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failed to submit a final record to the TCEQ within two weeks after the end of a reportable emissions event on September 6, 2003 at the F-6 Regenerator Vent (EPN F6FF6104).  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: 5952A, SC1 PERMIT  
Description: Failed to prevent unauthorized emissions of 106 lbs of Ethylene from the F-6 Regenerator Vent (EPN F6FF6104) on September 6, 2003.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)  
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event at 8:15 p.m. on October 5, 2003 at the F-6 Regenerator Vent (EPN F6FF6104).  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: 5952A, SC1 PERMIT  
Description: Failed to prevent unauthorized emissions of 146 lbs VOCs (Ethylene and Ethylene Glycol) from the F-6 Regenerator Vent (EPN F6FF6104) on October 5, 2003.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)  
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failed to notify the TCEQ within 24 hours after the discovery of a reportable emissions event at 12:15 p.m. on October 25, 2003 at the relief valve on the ammonia absorber (EPN E4FUG1) at the E4 Unit of the Olefins and Oxides (O&O) Plant.  
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1322/ SC 15 OP  
5897A/ SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 2514 lbs of Ammonia from the relief valve on the ammonia absorber (EPN E4FUG1) at the E4 Unit of the O&O Plant on October 25, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485, SC1 PERMIT  
O-01327, SC15 OP

Description: Failed to prevent unauthorized emissions on January 15, 2004 of 12 lbs of VOCs and 18 lbs of 1,3-Butadiene from the North Unit of the C4/MTBE/Butadiene Units, and 3 lbs of NOx and 19 lbs of CO from the Butadiene Unit of the C4 Plant to the North/South Flare (EPN UWN1, UW6R1).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1327/ SC15 OP  
20485/ SC1 PERMIT

Description: Failed to prevent unauthorized emissions of 163.46 lbs of VOCs on August 20, 2003 and 302.658 lbs of VOCs on February 20, 2004 from the tank hatch of Tank 77.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485, SC1 PERMIT  
O-01327, SC15 OP

Description: Failed to prevent unauthorized emissions to the North/South Flare (EPN UWN6R1/UWS6R1) of 2) 48 lbs of VOC and 17 lbs of 1,3 Butadiene from the MTBE Unit on July 22, 2003, and 3) 173 lbs of VOC, 79 lbs of 1,3 Butadiene, 131 lbs of CO and 13 lbs of NOx from the C4 Plant on February 7, 2004.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to report an emissions event within 24 hours of discovery.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to report an emissions event within 24 hours of discovery.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 5807A SC 1 PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 5952A SC1 PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 5952A SC1 PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 29516 General Conditions PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 56390 SC1 PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 SC 1 PERMIT

20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 SC 1 PERMIT

20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 SC 1 PERMIT

20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 SC 1 PERMIT

20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 SC1 PERMIT

20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 20485 Special Condition 1 PERMIT

20485/ Attachment A PERMIT

Description: Failure to comply with an emissions limitation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
30 TAC Chapter 116, SubChapter B 116.116(b)(1)(C)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with permit representations of 99.5% VOC destruction efficiency for Flare

3. A8c1G

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: 19823 PERMIT  
 Description: Failure to prevent visible emissions from the High Pressure Flare - South. B14  
 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to maintain air pollution emission capture and abatement equipment in good working order and operating properly for Flare 3. B18  
 Classification: Moderate  
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: 19823 PERMIT  
 Description: Failure to prevent visible emissions from the High Pressure Flare - South. B14  
 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to maintain air pollution emission capture and abatement equipment in good working order and operating properly for Flare 3. B18  
 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
 30 TAC Chapter 116, SubChapter B 116.116(b)(1)  
 30 TAC Chapter 116, SubChapter B 116.116(b)(1)(C)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to comply with permit representations of 99.5% VOC destruction efficiency for Flare 3. A8c1G  
 Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
 30 TAC Chapter 101, SubChapter F 101.201(b)(4)  
 30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to comply with a reporting requirement.  
 Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
 30 TAC Chapter 101, SubChapter F 101.201(b)(4)  
 30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to comply with a reporting requirement.  
 Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
 30 TAC Chapter 101, SubChapter F 101.201(b)(4)  
 30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to comply with a reporting requirement.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: 20485, Special Condition 1 PERMIT  
 Description: Failure to maintain an emission rate below the allowable emission limit..  
 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Rqmt Prov: 19823 Special Condition 1 PERMIT  
 O-02288 Special Condition 16 OP  
 Description: Failure to maintain an emission rate below the allowable emission limit.  
 Classification: Minor  
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
 5C THC Chapter 382, SubChapter A 382.085(b)  
 Description: Failure to properly report emissions events.  
 Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to submit an initial notification of an emissions event with 24 hours.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Huntsman failed to properly identify the correct Emission Point Common Name in 57946 final notification.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19823/ SC 1 PERMIT

Description: Failure to comply with the Maximum Allowable Emissions Rate Table (MAERT) of TCEQ Permit 19823.

Effective Date: 05/25/2007

ADMINORDER 2006-0902-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit 19823 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit for the Demethanizer Tower Pressure Relief Vent, PRV 2355.

Effective Date: 10/25/2007

ADMINORDER 2007-0360-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 19823 Special Condition 1 PERMIT  
O-02288 Special Condition 16 OP

Description: failed to prevent unauthorized emissions. Specifically, on November 28, 2006, over a period of 5 hours, the South Flare emitted 340.38 pounds ("lbs") of Volatile Organic Compound ("VOC")

and 374.86 lbs of carbon monoxide ("CO"). Permit No. 19823 authorizes 32.87 lbs of VOC per hour and 53.59 lbs of CO per hour.

Effective Date: 01/28/2008

ADMINORDER 2007-0989-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 20134 Special Condition 20 E PERMIT  
5807A Special Condition 10 PERMIT  
5807A Special Condition 2 E PERMIT  
647B Special Condition 11 E PERMIT  
O-02286 Special Condition 10 OP  
O-02287 Special Condition 10 OP

Description: Failed to seal open-ended lines in volatile organic compounds service with a cap, blind flange, plug, or a second valve.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
30 TAC Chapter 122, SubChapter B 122.145(2)(C)

30 TAC Chapter 122, SubChapter B 122.146(2)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: General Terms And Conditions OP  
 Description: Failed to submit two semi-annual deviation reports and one annual compliance certification within 30 days after each reporting period.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(f)(2)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: 20134 Special Condition 12 B PERMIT  
 647B Special Condition 3 PERMIT  
 O-02286 Special Condition 10 OP  
 O-02287 Special Condition 10 OP  
 Description: Failed to monitor the E7 Flare to ensure a pilot flame is present at all times.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 106, SubChapter K 106.264(7)  
 30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: O-02287 Special Condition 10 OP  
 Description: Failed to notify the executive director within 10 days after the installation of the E7 Flare drum seal (F-E7-72).  
 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: O-02287 Special Condition 10 OP  
 Permit 647B, Special Condition 1 PERMIT  
 Description: Failed to prevent unauthorized emissions.  
 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: 20134 Special Condition 23E PERMIT  
 O-02286 Special Condition 10 OP  
 Description: Failed to submit a final sampling report within 30 days after sampling is completed.

Effective Date: 04/14/2008

ADMINORDER 2007-0581-MLM-E

Classification: Moderate  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(c)  
 30 TAC Chapter 106, SubChapter A 106.4(c)  
 30 TAC Chapter 113, SubChapter C 113.120  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 335, SubChapter A 335.4  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135(b)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: FOP 2288 Special Condition 17 OP  
 FOP 2288 Special Condition 1D OP  
 Special Condition 16 OP  
 Description: Failure to maintain emissions below the allowable reportable quantity for benzene in regards to Permit by Rule Number 106.532. MOD 2(D) EIC A(8)  
 Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Rqmt Prov: 5952A Special Condition 1 PERMIT  
 O-01320 Special Condition 13 OP  
 Description: Failure to maintain an emission rate below the allowable emissions limit.

Effective Date: 08/15/2008

ADMINORDER 2007-2006-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-1320 General Terms and Conditions OP  
O-1320 Special Condition 13A OP  
P-5972A Special Condition 1 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limits.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-1322 General Terms and Conditions OP  
O-1322 Special Condition 2F OP

Description: Failure to properly report an emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: O-1322 General Terms and Conditions OP  
O-1322 Special Conditions 17A OP  
P-20160 Special Condition 1 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limits.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP-O-1322 Special Condition 17 OP  
Permit 20160 Special condition 1 PERMIT

Description: Failure to maintain emissions below the allowable emission limit. A10

Effective Date: 01/30/2009

ADMINORDER 2008-0664-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP-O-02288 Special Condition 16 OP  
Permit 19823 Special Condition 1 PERMIT

Description: Failure to maintain emissions below the allowable emission limits during Emissions Event Incident 95744.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(C)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)  
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)  
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-02288 General Terms and Conditions OP  
FOP O-02288 Special Condition 2F OP

Description: Failure to properly report an emissions event (Incident No. 97957). EIC C,3 MIN 3,C

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-02288 General Terms and Conditions OP  
FOP O-02288, Special Condition 16 OP  
NSR Permit 19823, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions (Incident No. 97957). EIC A,8,c,2,A,ii MOD 2,D



Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)  
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Description: Failure to properly report an emissions event (Incident No. 95168).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 19823, Special Condition 1 PERMIT  
O-02288, General Terms and Conditions OP  
O-02288, Special Condition 16A OP  
O-02288, Special Condition 2I OP

Description: Failure to prevent unauthorized emissions (Incident No. 95168).

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)  
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(J)  
5C THSC Chapter 382 382.085(b)

Description: Failure to report emissions in accordance with the requirements of 30 TAC 101.201(b)(1).  
This includes reporting violations for Incident Nos. 95743 and 95744.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP  
NSR Permit 5952A, Special Condition 1 PERMIT  
Special Condition 13A OP  
Special Condition 2I OP

Description: Failure to prevent unauthorized emissions (Incident No. 97057).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 20160, Special Condition 1 PERMIT  
FOP O-1322, Special Condition 17 OP

Description: Failure to prevent unauthorized emissions (Incident No. 95743).

Effective Date: 05/03/2009

ADMINORDER 2008-1586-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT  
Special Conditions 13 OP

Description: Failure to prevent unauthorized emissions (Incident No. 104823).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-01320 General Terms and Conditions OP  
FOP O-01320, Special Condition 13 OP  
NSR Permit 5952A, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions (Incident No. 98892).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 13 OP  
Special Condition 18 PERMIT

Description: Failed to conduct monthly VOC monitoring on wastewater conveyance EPN: RSEGLYWWFUG.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 16 OP  
Special Condition 9(A) PERMIT

Description: Failed to conduct monitoring of the CAS connected to tank T-A3-46.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT  
Special Condition 16 OP

Description: Failure to prevent unauthorized emissions (Incident 104871).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 OP  
Special Condition 13 PERMIT

Description: Failure to prevent unauthorized emissions (Incident 105823).

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

Description: Failed to notify the TCEQ Regional Office within 24 hours of a reportable emissions event (Incident 104871).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-01320 General Terms and Conditions OP  
FOP O-01320 Special Condition 13 OP  
NSR Permit 5952A, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions (Incident No. 99672).

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-01320 General Terms and Conditions OP  
FOP O-01320 Special Condition 13 OP  
NSR Permit 5952A, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions (Incident No. 101672).

Effective Date: 08/23/2009

ADMINORDER 2009-0330-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT  
Special Condition 16 OP

Description: Failed to prevent unauthorized emissions during Incident No. 113001.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT  
Special Condition 16 OP

Description: Failed to prevent unauthorized emissions during Incident No. 114925.

Effective Date: 08/31/2009

ADMINORDER 2009-0041-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT  
Special Condition 13 OP

Description: Failure to maintain emissions below the allowable emission limits during Emissions Event incident 106170.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 2(f) OP

Description: Failure to report emissions event incident 109142 in accordance with the requirements of 30 TAC 101.201(a)(1).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT  
Special Condition 16 OP

Description: Failure to maintain emissions below the allowable emission limits during Emissions Event incident 109142.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT  
Special Condition 16 OP

Description: Failure to maintain emissions below the allowable emission limits during Emissions Event incident 108945.

Effective Date: 03/20/2010

ADMINORDER 2009-0894-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.121  
30 TAC Chapter 122, SubChapter B 122.133(2)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

Description: Failed to submit a Title V permit renewal application at least six months prior to expiration of the permit. Specifically, the renewal application was submitted 70 days late.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Permit No. 20160, Special Condition 17 PERMIT  
Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions and exceeded the 0.8 parts per million by weight ("ppmw") volatile organic compound ("VOC") concentration limit in the water returning to the cooling tower.

Effective Date: 10/25/2010

ADMINORDER 2010-0315-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT  
Special Condition 16 OP

Description: Failure to maintain emissions below the allowable emission limits during Emissions Event incident 129506.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT  
Special Condition 16 OP

Description: Failure to maintain emissions below the allowable emission limits during Emissions Event incident 129771.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT  
Special Condition 16 OP

Description: Failure to maintain emissions below the allowable emission limits during Emissions Event incident 130183.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	08/31/2006	(449989)
2	03/30/2006	(453754)
3	08/31/2006	(454082)
4	02/27/2006	(454550)
5	04/07/2006	(454572)
6	04/07/2006	(455375)
7	03/30/2006	(456815)
8	02/28/2006	(457516)
9	03/30/2006	(458020)
10	04/07/2006	(458321)
11	03/30/2006	(458485)
12	03/30/2006	(458616)
13	03/31/2006	(458673)
14	04/07/2006	(459162)
15	04/26/2006	(461473)
16	05/01/2006	(463769)
17	05/04/2006	(464589)
18	05/26/2006	(465414)
19	06/22/2006	(465864)
20	08/17/2006	(481936)
21	08/23/2006	(485023)
22	07/31/2006	(487611)
23	09/25/2006	(488474)
24	09/11/2006	(488579)
25	09/25/2006	(497536)
26	09/25/2006	(509094)
27	09/20/2006	(511204)

28	10/30/2006	(511240)
29	09/20/2006	(511947)
30	09/19/2006	(513278)
31	10/10/2006	(513527)
32	11/15/2006	(514399)
33	10/25/2006	(515478)
34	10/25/2006	(515506)
35	11/08/2006	(515666)
36	11/16/2006	(515790)
37	10/25/2006	(515822)
38	11/30/2006	(516090)
39	11/28/2006	(516609)
40	11/13/2006	(517036)
41	11/13/2006	(517041)
42	11/15/2006	(517191)
43	11/28/2006	(517675)
44	11/27/2006	(518436)
45	12/15/2006	(531666)
46	01/17/2007	(531872)
47	12/04/2006	(533060)
48	12/12/2006	(533440)
49	02/20/2007	(535145)
50	02/08/2007	(535487)
51	02/21/2007	(537271)
52	04/26/2007	(537371)
53	02/23/2007	(537684)
54	03/20/2007	(539462)
55	03/19/2007	(539598)
56	03/20/2007	(539695)
57	02/23/2007	(540396)
58	02/26/2007	(540551)
59	04/20/2007	(541289)
60	04/09/2007	(541905)
61	06/26/2007	(543284)
62	04/30/2007	(543451)
63	04/27/2007	(543604)
64	05/31/2007	(543792)
65	05/16/2007	(555268)
66	06/14/2007	(557699)
67	06/14/2007	(557996)
68	07/30/2007	(558200)
69	06/14/2007	(558239)
70	06/11/2008	(560362)
71	06/14/2007	(561265)
72	09/21/2007	(570457)
73	09/27/2007	(570470)
74	11/27/2007	(597203)
75	11/27/2007	(597280)
76	12/03/2007	(597429)
77	12/14/2007	(597547)
78	11/28/2007	(597647)

79	11/27/2007	(598101)
80	11/28/2007	(600001)
81	11/12/2007	(600643)
82	12/10/2007	(611227)
83	01/13/2008	(613058)
84	03/13/2008	(613437)
85	02/29/2008	(614644)
86	02/29/2008	(614736)
87	04/25/2008	(617083)
88	04/10/2008	(617468)
89	05/08/2008	(617644)
90	02/08/2008	(617709)
91	04/02/2008	(638186)
92	05/08/2008	(639688)
93	05/16/2008	(654879)
94	12/09/2008	(654938)
95	06/12/2008	(655044)
96	05/05/2008	(656845)
97	06/20/2008	(671039)
98	07/09/2008	(682286)
99	08/25/2008	(683718)
100	08/04/2008	(684258)
101	09/09/2008	(684358)
102	08/02/2008	(684777)
103	08/04/2008	(685268)
104	09/07/2008	(686333)
105	08/26/2008	(700526)
106	09/10/2008	(702254)
107	12/09/2008	(703551)
108	11/24/2008	(705974)
109	12/22/2008	(706758)
110	02/04/2009	(721964)
111	02/19/2009	(722782)
112	02/19/2009	(722904)
113	02/20/2009	(726148)
114	02/06/2009	(726384)
115	04/24/2009	(735944)
116	03/24/2009	(736194)
117	03/24/2009	(736229)
118	03/24/2009	(736557)
119	03/24/2009	(736813)
120	03/24/2009	(737194)
121	03/24/2009	(737347)
122	06/24/2009	(737641)
123	04/17/2009	(737882)
124	04/06/2009	(738233)
125	04/13/2009	(740940)
126	04/16/2009	(742311)
127	04/16/2009	(742318)
128	05/14/2009	(742399)
129	05/28/2009	(742481)

130	05/13/2009	(742704)
131	06/16/2009	(743080)
132	06/02/2009	(743286)
133	06/15/2009	(744204)
134	06/19/2009	(745129)
135	06/18/2009	(745143)
136	05/28/2009	(745721)
137	05/18/2009	(746005)
138	06/30/2009	(746036)
139	06/04/2009	(746519)
140	07/10/2009	(747753)
141	06/24/2009	(747984)
142	05/17/2010	(748943)
143	07/23/2009	(759198)
144	08/25/2009	(760297)
145	07/23/2009	(760755)
146	07/23/2009	(760768)
147	05/12/2010	(760924)
148	07/30/2009	(761289)
149	07/30/2009	(761379)
150	01/13/2010	(764741)
151	09/21/2009	(765027)
152	10/05/2009	(766171)
153	10/05/2009	(767922)
154	09/14/2009	(775462)
155	10/26/2009	(776644)
156	10/21/2009	(777062)
157	10/23/2009	(779960)
158	11/11/2009	(780519)
159	11/18/2009	(781053)
160	12/23/2009	(781246)
161	12/21/2009	(781839)
162	11/25/2009	(782152)
163	02/09/2010	(783365)
164	12/23/2009	(785418)
165	03/08/2010	(786232)
166	01/12/2010	(786869)
167	01/13/2010	(787773)
168	04/15/2010	(788324)
169	02/01/2010	(788382)
170	02/22/2010	(791210)
171	02/19/2010	(791554)
172	05/02/2010	(794617)
173	04/12/2010	(794773)
174	04/28/2010	(794975)
175	04/14/2010	(795238)
176	04/14/2010	(799094)
177	04/30/2010	(801026)
178	05/30/2010	(801934)
179	06/30/2010	(825166)
180	08/02/2010	(828972)

181 09/02/2010 (841004)  
 182 08/25/2010 (841008)  
 183 08/04/2010 (841088)  
 184 08/21/2010 (849069)  
 185 08/25/2010 (850335)  
 186 10/12/2010 (857938)  
 187 10/26/2010 (863439)  
 188 11/05/2010 (864188)  
 189 11/16/2010 (871494)  
 190 11/17/2010 (871714)  
 191 12/02/2010 (872562)  
 192 11/29/2010 (879181)  
 193 01/03/2011 (880492)  
 194 02/01/2011 (884523)  
 195 02/15/2011 (885493)  
 196 01/28/2011 (886698)  
 197 01/03/2011 (886745)  
 198 02/15/2011 (887400)  
 199 01/25/2011 (891899)  
 200 01/25/2011 (892077)  
 201 01/28/2011 (892195)  
 202 02/03/2011 (893455)  
 203 02/12/2011 (895129)  
 204 02/23/2011 (895953)  
 205 02/22/2011 (899501)  
 206 02/23/2011 (899877)  
 207 02/23/2011 (899965)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 08/23/2006 (485023) CN603603093

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5807A PERMIT  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02287 OP

Description: Failure to maintain the daily production limit for the E4 Unit as reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.144(1)(F)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02287 OP

Description: Failure to continuously collect and maintain pilot monitoring data, as required by 30 TAC 122.144(1) and 40 CFR 60.7(f), and reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.110  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)(3)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02287 OP

Description: Failure to analyze quarterly cooling water samples using Method 624 as reported in the Deviation Report for FOP O-02287 covering January 20, 2004 to July 20, 2004.

Self Report? NO Classification: Minor



Citation: 19823 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
5807A PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02287 OP  
O-02288 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Units: O-02287 - 5 components (Component Numbers 03968, 05771, 06097, 07502 and 07824) in E4FUG; O-02288 - 1 component (Component Number 0228) in A3FUG.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
647B PERMIT  
O-02287 OP

Description: Failure to maintain the hourly production limit for Morpholine as reported in the Deviation Report for FOP O-02287 covering July 21, 2004 to January 19, 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.264(7)  
30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02287 OP

Description: Failure to submit a notification within ten days following installation of the replacement facility as reported in the Deviation Report for FOP O-02287 covering July 20, 2005 to January 19, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)  
5C THC Chapter 382, SubChapter D 382.085(b)  
647B PERMIT  
O-02287 OP

Description: Failure to operate the E7 flare with a flame present at all times as reported in the Deviation Report for FOP O-02287 covering July 20, 2005 to January 19, 2006.

Self Report? NO Classification: Moderate

Citation: 29516 PERMIT  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02288 OP

Description: Failure to maintain the minimum scrubber flow rate of 4,800 gallons per hour and the maximum Ethylene Oxide (EO) vapor flow to the scrubber of 1562.4 lbs/hr. as reported in the Deviation Report for FOP O-02288 covering February 14, 2005 to August 14, 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.703(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.705(d)(2)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02288 OP

Description: Failure to conduct and maintain records of monthly inspections of by-pass seals applicable to 40 CFR Part 60, Subparts NNN/RRR/FF as reported in the Deviation Report for FOP O-02288 covering February 14, 2005 to August 14, 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(B)  
5C THC Chapter 382, SubChapter D 382.085(b)

O-02288 OP

Description: Failure to maintain the tank opening in a closed position during normal operations on Tanks T087 and T088, as reported in the Deviation Reports for FOP O-02288 covering February 14, 2005 to August 14, 2005 and August 15, 2005 to February 14, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(A)  
30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02288 OP

Description: Failure to submit a Form PI-7 within 10 days following the addition of fugitive components as reported in the Deviation Report for FOP O-02288 covering February 14, 2005 to August 14, 2005.

Self Report? NO Classification: Moderate

Citation: 29516 PERMIT  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02288 OP

Description: Failure to maintain records of the scrubber water flow rate and temperature, and vapor flow rate in lbs/hr at the inlet of the scrubber for Unit RSEF085 as reported in the Deviation Report for FOP O-02288 covering August 15, 2005 to February 14, 2006.

Self Report? NO Classification: Moderate

Citation: 19823 PERMIT  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02288 OP

Description: Failure to maintain records of the Waste Heat Boiler CEMS daily calibrations for Unit A3HA35 as reported in the Deviation Report for FOP O-02288 covering August 15, 2005 to February 14, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(l)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT RRR 60.705(l)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(6)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02288 OP

Description: Failure to submit one 40 CFR Part 61, Subpart FF quarterly report for Unit PROA3WW and one 40 CFR Part 60, Subparts NNN/RRR semiannual report for applicable facilities within 30 days after the end of the applicable reporting period of December 31, 2005 as reported in the Deviation Report for FOP O-02288.

Self Report? NO Classification: Moderate

Citation: 16909 PERMIT  
19823 PERMIT  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02288 OP

Description: Failure to submit the semiannual reports within 30 days after the end of the applicable reporting period of December 31, 2005 for Units UEHK11, CG1/CG2, and A3HA35, as reported in the Deviation Report for FOP O-02288 covering August 15, 2005 to February 14, 2006.

Date: 11/13/2006 (517041)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(b)(2)  
P.P. II.C.1.I PERMIT  
P.P. II.C.2.a PERMIT

Description: Failure to maintain safety and emergency equipment inspection records.

Date: 11/13/2006 (517036)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)

Description: Failure to maintain the liner in the secondary containment.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(d)  
P.P. II.C.1.I PERMIT  
P.P. II.C.2.a PERMIT

Description: Failure to input the date on the daily inspection logs.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(d)  
P.P. II.C.1.I PERMIT  
P.P. II.C.2.a PERMIT

Description: Failure to input the signature of the inspector on the daily inspection logs.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(a)  
P.P. II.C.1.I PERMIT  
P.P. II.C.2.a PERMIT

Description: Failure to conduct required daily inspection of the BIF and hazardous waste tanks for malfunctions, deteriorations, operator errors, and discharges.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(iv)  
P.P. II.C.1.p PERMIT  
P.P. II.C.2.i PERMIT

Description: Failure to test for all associated alarms and parameters during the automatic waste feed cut-off monthly test as required by the permit.

Date: 01/18/2007 (531872)

CN603603093

Self Report? NO Classification: Moderate

Citation: 20160 SC 15E PERMIT  
20160 SC 2C PERMIT  
20160 SC 3 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01322 SC 17 OP

Description: Failure to have cap and plugs installed on open-ended lines.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01322 General Terms and Conditions OP  
O-01322 SC 20 OP

Description: Failure to submit the annual compliance certification for FOP O-01322 in a timely manner.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.144(1)(G)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01322 SC 10A OP  
O-01322 SC 1A OP

Description: Failure to maintain records of daily calibration of continuous monitors and failure to continuously monitor due to failed calibrations.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to report all instances of deviations.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 113, SubChapter C 113.110  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01322 SC 12G OP  
O-01322 SC 1A OP

Description: Failure to submit a required semiannual report.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 115, SubChapter D 115.354(3)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(d)(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.173(b)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain records of weekly pump and flange check.

Date: 06/27/2007 (543284) CN603603093

Self Report? NO Classification: Moderate  
Citation: 19823 Special Condition 20 PERMIT  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
FOP 2288 General Terms and Conditions OP  
FOP 2288 Special Condition 16 OP

Description: Failure to conduct stack sampling or fuel analysis for SO2 emissions as required by Permit 19823 Special Condition 20. EIC B(1) MOD 2(A)

Date: 07/31/2007 (558200) CN603603093

Self Report? NO Classification: Moderate  
Citation: 01320 Special Condition 13 OP  
02288 Special Condition 16 OP  
19823 Special Condition 18E PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)

36646 Special Condition 8E PERMIT  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5952 Special Condition 21E PERMIT  
5972A Special Condition 10 PERMIT  
5972A Special Condition 17E PERMIT  
5972A Special Condition 7 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed. C10 cannot be picked.

Self Report? NO Classification: Moderate  
Citation: 01320 Special Condition 13 OP  
30 TAC Chapter 113, SubChapter C 113.120  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(a)  
5972A Special Condition 5A PERMIT

5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to monitor, record and maintain the F-4 Firebox temperature above the permitted limit.

Self Report? NO Classification: Moderate

Citation: 01320 Special Condition 13 OP  
30 TAC Chapter 113, SubChapter C 113.120  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(e)  
5972A Special Condition 4 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain records of tank pressure.

Self Report? NO Classification: Moderate

Citation: 01320 Special Condition 13 OP  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5952 Special Condition 12 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to monitor, record and maintain the F-6 Firebox temperature above the permitted limit

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to report all instances of deviations.

Self Report? NO Classification: Moderate

Citation: 01320 Special Condition 13 OP  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.144(1)  
36646 Special Condition 12 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain records of monthly monitoring.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(II)  
30 TAC Chapter 122, SubChapter B 122.144  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain records of the daily flare observations.

Self Report? NO Classification: Moderate

Citation: 02288 Special Condition 16 OP  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to monitor NOx, CO and O2 at CG1/UEHK9 and CG2/UEHK10.

Self Report? NO Classification: Moderate

Citation: 02288 Special Condition 16 OP  
16909 Special Condition 15I PERMIT  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.144(1)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain records.

Self Report? NO Classification: Moderate

Citation: 02288 Special Condition 16 OP  
19823 Special Condition 14A PERMIT  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to have the cooling tower water sample port installed as required by permit.

Self Report? NO Classification: Moderate

Citation: 02288 Special Condition 16 OP  
16909 Special Condition 12A PERMIT  
19823 Special Condition 21D PERMIT  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.144(1)

5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to monitor and maintain records of daily zero and span of continuous monitors.

Self Report? NO Classification: Moderate

Citation: 02288 Special Condition 16 OP  
19823 Special Condition 10 PERMIT  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to comply with conditions of a permit.

Self Report? NO Classification: Moderate

Citation: 02288 Special Condition 16 OP  
16909 Special Condition 14 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to monitor.

Self Report? NO Classification: Moderate

Citation: 02288 Special Condition 16 OP  
19823 Special Condition 10C PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to operate the flare in a smokeless manner.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to report all instances of deviations.

Self Report? NO Classification: Moderate

Citation: 02288 Special Condition 1 E OP  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT WW 63.1063(b)(3)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain the tank opening in a closed position during normal operations on Tank T087.

Self Report? NO Classification: Moderate

Citation: 02288 Special Condition 16 OP  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
49247 Special Condition 7 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain emissions rate below the allowable limit.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(B)  
30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
5C THC Chapter 382, SubChapter D 382.085(b)  
General Terms and Conditions OP

Description: Failure to submit a semiannual deviation report.

Self Report? NO Classification: Moderate

Citation: 01320 Special Condition 15 OP  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to submit an annual permit compliance certification (ACC) report within 30 days of the certification period.

Date: 09/27/2007 (570470)

CN603603093

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.500  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.987(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
Description: Failure to limit the frequency of visible smoke emissions from Huntsman's Low Pressure Flare Number (No.) 2.

Date: 12/17/2007 (597547) CN603603093  
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.144(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(f)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01322 Special Condition 10A OP  
O-01322 Special Condition 1A OP

Description: Failure to maintain records of daily calibration.  
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
30 TAC Chapter 115, SubChapter C 115.216(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.144(1)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01322 Special Condition 1A OP  
O-01322 Special Condition 6A(vi) OP  
O-01322 Special Condition 7A(v) OP

Description: Failure to record daily flare observations.

Date: 07/09/2008 (682286)  
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(3)  
5C THSC Chapter 382 382.085(b)  
Special Condition 11 PERMIT  
Special Condition 13 OP

Description: Failure to comply with the VOC emissions limits as specified in the confidential section of the permit application of Permit 36646.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 13 OP  
Special Condition 13 PERMIT

Description: Failure to comply with tank throughput limits for tank TG-39 as specified in the confidential section of the permit application for Permit 36646.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 PERMIT  
Special Condition 13 OP

Description: Failure to comply with VOC emissions limits of the MAERT for tanks TG-38 and TG-39 (group 20), based on throughput exceedances of tank TG-39.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 12 PERMIT  
Special Condition 13 OP

Description: Failure to maintain minimum incinerator firebox temperature at 1737 degrees Fahrenheit in the F6 Unit incinerator.

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 13 OP Special Condition 16(E) PERMIT		
Description:	Failure to cap an open-ended line in VOC service.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 13 OP Special Condition 4 PERMIT		
Description:	Failure to maintain minimum incinerator firebox temperature at 1704 degrees Fahrenheit in the F4 Unit incinerator.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 16 OP Special Condition 5 PERMIT		
Description:	Failure to comply with the emissions limits of NOx and CO as specified by SC 5 of Permit 16909.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 16 OP Special Condition 9(A) PERMIT		
Description:	Failure to conduct daily monitoring on CAS connected to tank T-A3-29 on three occasions.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 16 OP Special Condition 6 PERMIT		
Description:	Failure to maintain accurate railcar cleaning records.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 30 TAC Chapter 122, SubChapter B 122.145(2)(B) 5C THSC Chapter 382 382.085(b) General Terms and Conditions OP		
Description:	Failure to submit a deviation report in a timely manner for deviations documented on August 14, 2008.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 16 OP Special Condition 4 PERMIT		
Description:	Failure to maintain CO emissions within the allowable limits as stated in SC 4 of the permit.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition 16 OP Special Condition 4 PERMIT		
Description:	Failure to maintain NOx emissions within the allowable limits as stated in SC 4 of the permit.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)		



Special Condition 16 OP  
Special Condition 4 PERMIT

Description: Failure to maintain CO emissions in ppmvd within the allowable limits as stated in SC 4 of the permit.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 12 (A) PERMIT  
Special Condition 16 OP

Description: Failure to maintain NOx emissions in ppmvd within the allowable limits as stated in SC 12(A) of the permit.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 16 OP  
Special Condition 22 (D) PERMIT

Description: Failure to maintain waste heat boiler CEMS daily calibration records on two occasions.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 16 OP  
Special Condition 4 PERMIT

Description: Failure to maintain emission of NOx and CO in ppmvd from CG2, below the permitted limits as per SC 4 of Permit 16909.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 12(b) PERMIT  
Special Condition 16 OP

Description: Failure to conduct daily CEMS calibrations on CG1 CEMS.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 PERMIT  
Special Condition 16 OP

Description: Failure to comply with the emissions limits of the MAERT of Permit 16909 as applicable to Boiler 11.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 15(I) PERMIT  
Special Condition 16 OP

Description: Failure to maintain Boiler 11 CEMS calibration records.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP

Description: Failure to report deviations for the reporting period of February 19, 2007 through February 19, 2008 as required by FOP-O-01320; and for the reporting period of February 14, 2007 through February 14, 2008 as required by FOP-O-02288.

Date: 08/26/2008 (700526)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
5C THSC Chapter 382 382.085(b)  
General terms and Conditions OP

Description: Failure to submit the semi-annual deviation report for FOP-O-02287 for the period of July 20, 2007, through January 20, 2008, in a timely manner.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THSC Chapter 382 382.085(b)  
General terms and Conditions OP

Description: Failure to submit the Annual Compliance Certification report for FOP-O-02287 for the period of January 20, 2007, through January 20, 2008, in a timely manner.

Date: 12/09/2008 (654938) CN603603093

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01320 General Terms and Conditions OP  
FOP O-01320 Special Condition 2F OP

Description: Failure to properly report an emissions event. EIC C,3 MIN 3,C

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01320 General Terms and Conditions OP  
FOP O-01320 Special Condition 13 OP  
NSR Permit 5807A Special Condition 1 PERMIT

Description: Failure to maintain emission rates below the allowable emission limits. EIC B,13  
MOD 2,D

Date: 02/20/2009 (726148) CN603603093

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 5(A) PERMIT  
Special Condition16 OP

Description: Failure to submit a testing plan to the TCEQ no later than 90 days prior to the initial start-up of the Oxygen injection system.

Date: 04/17/2009 (737882) CN603603093

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 10 OP  
Special Condition 10 PERMIT

Description: Failure to maintain minimum caustic concentrations as required by SC 10 of Permit 20134.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 10 OP  
Special Condition 10 PERMIT

Description: Failure to conduct weekly testing for caustic concentration as required by this SC 10 of Permit 20134.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.133(2)  
30 TAC Chapter 122, SubChapter C 122.241(b)  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP

Description: Failure to submit FOP-O-02286 renewal application in a timely manner.

Date: 04/24/2009 (735944)

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)  
P.P.II.C.1.j. PERMIT  
Description: Failure to continuously update the Notice of Registration (NOR) regarding the 21412961, waste stream's management unit, and status of active or inactive.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
40 CFR Chapter 263, SubChapter I, PT 263, SubPT C 264.13(b)  
P.P.II.C.1.k. PERMIT  
P.P.II.C.2.a. PERMIT  
P.P.IV.A PERMIT  
Description: Failure to follow the Waste Analysis Plan (WAP) for the annual waste analysis.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)  
P.P.II.C.1.i PERMIT  
P.P.II.C.2.a. PERMIT  
Description: Failure to properly maintain the impermeable liner in the secondary containment.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
40 CFR Chapter 263, SubChapter I, PT 263, SubPT C 264.15(d)  
P.P.II.C.1.i PERMIT  
P.P.II.C.2.a. PERMIT  
Description: Failure to place the name of the inspector on the daily inspection logs for the Utilities Area and Feed Prep Area.

Date: 05/29/2009 (745721)

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 PERMIT  
Special Condition 9 OP  
Description: Failure to properly authorize the spray scrubber in the E7 Unit (EPN: E7LRMOCW).  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 PERMIT  
Special Condition 9 OP  
Description: Failure to maintain Ammonia emissions from the process wastewater as permitted by Permit 5807A.

Date: 06/02/2009 (743286)

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 17 OP  
Special Condition 8 PERMIT  
Description: Failure to comply with the requirement of absence of Ammonia odors as required by Special Condition 8 of permit 20160.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 17 OP  
Special Condition 9(D) PERMIT  
Description: Failure to comply with the CO concentration limits of 100 ppmvd as stated in SC 9(D).  
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 12(E) PERMIT  
 Special Condition 17 OP  
 Description: Failure to conduct annual calibrations on the monitors as required by SC 12(E).  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 14(F) PERMIT  
 Special Condition 17 OP  
 Description: Failure to maintain weekly records of the reading of the pressure sensing device to verify disc integrity in the unit log.  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT K 60.113(b)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 17 OP  
 Special Condition 21(B) PERMIT  
 Description: Failure to conduct tank seal inspections for Tank T-F5-009 within 12 months as required by 40 CFR 60.113(b).  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Part 60, Subpart VV 60.482-6  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 14(E) PERMIT  
 Special Condition 17 OP  
 Description: Failure to equip valves and lines with a cap, blind flange, plug or a second valve.  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 11(A) PERMIT  
 Special Condition 17 OP  
 Description: Failure to comply with the NOx emissions rates as specified in Special Condition 11(A) of permit 20160.  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 11(A) PERMIT  
 Description: Failure to comply with the NOx emissions rates as specified in Special Condition 11(A) of permit 20160.  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 9(D) PERMIT  
 Description: Failure to comply with the CO concentration rates as specified in Special Condition 9(D) of permit 20160.  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 4(D)(i) PERMIT  
 Description: Failure to comply with the emissions limits of NOx during start-up of Boiler 4 (EPN: H-K2-004).  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 14(F) PERMIT  
 Description: Failure to tag and monitor LDAR components on process liquid fuel filters.  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP  
Description: Failure to report all instances of deviations as required by FOP-O-01322 and 30 TAC 122.145(2)(A).

Date: 06/16/2009 (743080) CN603603093

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(C)  
5C THSC Chapter 382 382.085(b)  
Special Condition 7(B) PERMIT

Description: Failure to conduct successive Continuous Emissions Monitoring System (CEMS) audits no closer than 2 months.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.130  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(1)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1(A) OP

Description: Failure to submit a complete HON fugitive monitoring report for the semi-annual reporting period of July 1, 2008 through December 31, 2008.

Date: 08/25/2009 (760297)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 12(A) PERMIT  
Special Condition 16 OP

Description: Failure to maintain average hourly concentration of NOx and CO as permitted by SC 12(A) of permit 19823.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 PERMIT  
Special Condition 16 OP

Description: Failure to maintain emissions as specified by the MAERT of permit 19823.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 16 OP  
Special Condition 24 (F) PERMIT

Description: Failure to maintain concentration limits of benzene and toluene in the wastewater as permitted by SC 24(F) of Permit 19832.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 16 OP  
Special Condition 22(B) PERMIT

Description: Failure to conduct a quarterly cylinder gas audit on the waste heat boiler exhaust for the first calendar quarter of 2008.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 16 OP  
Special Condition 5(B) PERMIT

Description: Failure to maintain CO concentration limits of 100 ppmvd as permitted by SC 5(B) of permit 16909.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 16 OP  
Special Condition 5(A) PERMIT

Description: Failure to maintain average NOx emissions as permitted by SC 5(A) of permit 16909.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 16 OP  
Special Condition 4 PERMIT

Description: Failure to maintain emissions limits as permitted by SC 4 of permit 16909.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 PERMIT  
Special Condition 16 OP

Description: Failure to maintain emissions as specified by the MAERT of permit 16909.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
5C THSC Chapter 382 382.085(b)  
General terms and Conditions OP

Description: Failure to submit the semi-annual deviation report for FOP-O-02288 for the period of August 14, 2008, through February 14, 2009, in a timely manner.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THSC Chapter 382 382.085(b)  
General terms and Conditions OP

Description: Failure to submit the Annual Compliance Certification report for FOP-O-02288 for the period of February 14, 2008, through February 14, 2009, in a timely manner.

Date: 12/22/2009 (781839)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 13 OP  
Special Condition 16(E) PERMIT

Description: Failure to cap open-ended lines in VOC service.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 12 PERMIT  
Special Condition 13 OP

Description: Failure to maintain minimum incinerator firebox temperature at 1737 degrees Fahrenheit in the F6 Unit Incinerator.

Date: 04/19/2010 (788324) CN603603093

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(A)  
30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(C)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)

30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 O-01320, General Terms and Conditions OP  
 O-01320, Special Condition 2F OP  
 O-01320, Special Condition 2I OP  
 O-01322, General Terms and Conditions OP  
 O-01322, Special Condition 2F OP  
 O-01322, Special Condition 2I OP  
 O-02288, General Terms and Conditions OP  
 O-02288, Special Condition 2F OP  
 O-02288, Special Condition 2I OP

Description: Failure to properly submit an initial notification.

Date: 04/29/2010 (794975) CN603603093

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 1 PERMIT  
 Special Condition 9 OP

Description: Failure to comply with Volatile Organic Compound (VOC) emission limits during tank car loading as permitted by the MAERT of permit 647B.

Date: 08/04/2010 (841088)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 12(A) PERMIT  
 Special Condition 16 OP

Description: Failure to maintain average hourly concentration of NOx and CO within permitted limits as permitted by SC 12(A) of NSR permit 19823.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 16 OP  
 Special Condition 24 (F) PERMIT

Description: Failure to maintain concentration limits of Benzene and Toluene in the wastewater as permitted by SC 24(F) of NSR permit 19832 for the 4th quarter of 2009.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 12 (B) PERMIT  
 Special Condition 16 OP

Description: Failure to maintain CO concentration limits at 25 ppmvd as permitted by SC 12(B) of NSR permit 19823.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 12 (C) PERMIT  
 Special Condition 16 OP

Description: Failure to comply with emissions exceedance duration for maintenance, start-up or shutdown as stated in SC 12(C) of NSR permit 19823.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 16 OP  
 Special Condition 27 PERMIT

Description: Failure to comply with the maximum firing rate for furnaces H-A3-3 and H-A3-2 as stated in SC 27 of NSR permit 19823.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 1 PERMIT  
 Special Condition 16 OP  
 Description: Failure to comply with the emissions limits as stated in the MAERT of NSR permit 19823.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 16 OP  
 Special Condition 5(B) PERMIT  
 Description: Failure to maintain CO concentration limits of 100 ppmvd as permitted by SC 5(B) of NSR permit 16909.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 16 OP  
 Special Condition 5(A) PERMIT  
 Description: Failure to maintain average NOx emissions as permitted by SC 5(A) of NSR permit 16909.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 16 OP  
 Special Condition 4 PERMIT  
 Description: Failure to maintain emissions limits of NOx and CO as permitted by SC 4 of NSR permit 16909.  
 Date: 08/23/2010 (849069)  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 6(C)(iii) PERMIT  
 Description: Failure to conduct daily stain tube testing to measure ammonia for the first 60 days of operating boiler H-K2-004.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 17 OP  
 Special Condition 9(D) PERMIT  
 Description: Failure to comply with Carbon monoxide (CO) emissions limits of 100 parts per million (ppm) from boilers H-K2-001 and H-K2-002 as permitted by SC 9(D) of New Source Review (NSR) permit 20160.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2515(b)  
 5C THSC Chapter 382 382.085(b)  
 Permit by Rule Registration 82543 PERMIT  
 Special Condition 17 OP  
 Description: Failure to provide 60 day notification prior to conducting a performance test on the biodiesel flare.  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 17 OP  
 Special Condition 4(D)(i) PERMIT  
 Description: Failure to comply with NOx emissions limits as permitted by SC4(D)(i) of Standard Permit 83113, during the startup of boiler H-K2-004.  
 Self Report? NO Classification: Moderate



Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 17 OP  
 Special Condition 4(D)(ii) PERMIT

Description: Failure to comply with CO emissions limits as permitted by SC 4(D)(ii) of Standard Permit 83113, during the startup of boiler H-K2-004.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 11(A)(4) PERMIT  
 Special Condition 17 OP

Description: Failure to comply with CO concentration emissions limits from boiler H-K2-003 as permitted by SC 11(A)(4) of Permit 20160.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 17 OP  
 Special Condition 9(A) PERMIT

Description: Failure to maintain NOx emissions limits of 0.08 lb/MMBtu from boiler H-K2-001, as permitted by SC 9(A) of permit 20160.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 17 OP  
 Special Condition 4(B)(v) PERMIT

Description: Failure to maintain CO concentration emissions of 50 ppm from boiler H-K2-004, as permitted by SC 4(B)(v) of permit 83113.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 11(A)(1) PERMIT  
 Special Condition 17 OP

Description: Failure to maintain NOx emissions limits of 0.05 lb/MMBtu from boiler H-K2-003, as permitted by SC 11(A)(1) of permit 20160.

Date: 12/28/2010 (880492) CN603603093

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 10 OP  
 Special Condition 8 PERMIT

Description: Failure to maintain a minimum flow rate of 10 gallons per minute in the E6 scrubber.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 112, SubChapter A 112.3(c)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 1 PERMIT  
 Special Condition 10 OP

Description: Failure to comply with the Sulfur dioxide emissions limits as permitted by SC 1 and the MAERT of permit 20134.

F. Environmental audits.

Notice of Intent Date: 11/07/2007 (708722)  
 Disclosure Date: 05/06/2009  
 Viol. Classification: Moderate  
 Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345

Description: Failure to have a submerged fill for containers receiving pumped waste.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346(b)(4)(iv)

Description: Failed to initially and quarterly visually inspect unburied sewers managing BWON waste.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(f)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(f)(1)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(f)(2)

40 CFR Part 61, Subpart FF 61.356(f)(3)

Description: Failure to demonstrate that control devices achieved benzene removal requirements, allowed either engineering calculations or performance tests, and establish engineering calculations or performance tests record keeping requirements.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)

Description: Failure to establish performance monitoring requirements for vapor phase carbon canister systems where carbon is not regenerated on site.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(a)(1)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(a)(2)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(b)

Description: Failure to establish requirements for quantifying a waste's benzene quantity.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(b)(4)

Description: Failure to establish procedures for annualizing benzene quantity in turnaround wastes.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(c)

Description: Failure to routinely flow-weight average benzene concentration.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(h)(1)

Description: Failure to properly incorporate all phases in waste characterization.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(b)

Description: Failure to establish record keeping requirements for benzene quantifications.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(e)(1)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(e)(2)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(e)(3)

Description: Failure to establish requirements to demonstrate that the treatment processes or wastewater treatment system has achieved benzene removal requirements and a failure to establish a certification regarding design performance equipment.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(1)

Description: Failed to certify that equipment needed to comply with the BWON was installed, inspected, and tested.

Notice of Intent Date: 11/16/2007 (611106)

Disclosure Date: 02/18/2008

Viol. Classification: Major

Rqmt Prov: PERMIT NSR 19823

PERMIT O2288

Description: Failure to amend Title V permit O2288 to indicate A3 unit is subject to MACT Subpart SS and YY, and failure to amend NSR permit 18823 to indicate both MACT standards as being applicable.

Viol. Classification: Major

Rqmt Prov: PERMIT O2288 SC 18

Description: Failure to certify compliance with MACT XX and YY requirements in the annual report for 2006 for the A3 Unit.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1110(e)

Description: Failure to submit a periodic report for MACT Subpart XX and YY for A3 Units.

Viol. Classification: Moderate

Rqmt Prov: PERMIT 56390 SC 7

Description: Failure to comply with permit condition for the removal of Heel from railcars.

Viol. Classification: Major  
Rqmt Prov: PERMIT NSR 19823  
PERMIT O2288

Description: Failure to amend permit O2288 For A3 Unit to indicate RSET0126 wash tank is now being used to store wastewater or aromatic distillate.

Viol. Classification: Moderate  
Rqmt Prov: PERMIT 49247 SC 8.D

Description: Failure to maintain records related to emissions calculations for newly identified contaminants from wastewater treatment plant.

Viol. Classification: Major  
Rqmt Prov: PERMIT NSR 16909  
PERMIT PSD-TX-780, SC 18.A and B

Description: Failure to amend permit to reflect permanent shutdown of boilers 5, 6, 7, and 8.

Viol. Classification: Minor  
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Db 60.49b(d)

Description: Failure to maintain records in regards to the amounts of each fuel combusted each day.

Viol. Classification: Major  
Rqmt Prov: PERMIT 01322  
PERMIT 02287

Description: Failure to amend Title V permit 01322. Specifically the current Title V permit authorization by reference by emission unit section refers to the old C-4 unit's NSR permit 20485 and does not reference the current PO/MTBE NSR permit 20160.

Viol. Classification: Major  
Rqmt Prov: PERMIT 02286

Description: Failure to comply with permit no. 20134.

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.660(c)(4)

Description: Failure to maintain records to demonstrate (TRE) index value for process vent E4FE456 (2nd DEA Tower) is maintained at greater than 8.0.

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT Y 63.567(j)(4)

Description: Failure to maintain annual emission calculations for marine loading tank vessel for 5 years.

Viol. Classification: Moderate  
Rqmt Prov: PA NSR 42526 SC 7.A

Description: Failure to monitor VOC cooling tower water on a monthly basis with an air stripping system.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter C 122.210(a)  
Rqmt Prov: PERMIT O-02287

Description: Failure to update Title V permit O-02287, and O-02288 to reference PBR for abrasive blasting and surface coating.

Notice of Intent Date: 07/19/2008 (700547)

Disclosure Date: 12/29/2008

Viol. Classification: Moderate  
Rqmt Prov: PERMIT 79802, SC 2.F

Description: Failure to maintain the pressure differential and to record vacuum readings every 15 minutes during loading operations.

Viol. Classification: Moderate  
Rqmt Prov: PERMIT 79802, SC 3.B

Description: Failure to calibrate the flare pilot flame in accordance with the manufacturer's recommendations for calibration.

Viol. Classification: Moderate  
Rqmt Prov: PERMIT 79802, SC 3.D

Description: Failure to comply with permitted gas flow rates.

Viol. Classification: Moderate  
Rqmt Prov: PERMIT 79802 SC5.E

Description: Failure to conduct visual, Audible, olfactory inspections while loading cyclohexane.

Viol. Classification: Minor  
Rqmt Prov: PERMIT 79802 SC2.B

Description: Failure to accurately record start and end time data of loading emissions.

Notice of Intent Date: 03/25/2009 (743345)

No DOV Associated

Notice of Intent Date: 09/29/2009 (800608)

No DOV Associated

Notice of Intent Date: 10/25/2010 (877292)

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
HUNTSMAN PETROCHEMICAL  
LLC  
RN100219252

§ BEFORE THE  
§  
§  
§ TEXAS COMMISSION ON  
§  
§ ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2011-0358-AIR-E

### I. JURISDICTION AND STIPULATIONS

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Huntsman Petrochemical LLC ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a petrochemical plant at 6001 Highway 366 in Port Neches, Jefferson County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about February 19, 2011.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Twenty Thousand Dollars (\$20,000) is assessed by the Commission in settlement of the violations alleged in Section II

("Allegations"). The Respondent has paid Eight Thousand Dollars (\$8,000) of the administrative penalty and Four Thousand Dollars (\$4,000) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Eight Thousand Dollars (\$8,000) shall be conditionally offset by Respondent's completion of a Supplemental Environmental Project ("SEP").

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
  - a. By October 14, 2010, in order to prevent recurrence of incidents due to the same causes as those that caused Incident No. 144824:
    - i. Updated operating procedures to manually control the set point on the Low Recycle Flow Reabsorber Vent Trip so that it trips at a higher level; and
    - ii. Implemented split range level control on the reabsorber bottoms and synchronized the return wash water flow before the purification system is restarted.
  - b. By February 23, 2011, in order to prevent recurrence of incidents due to the same causes as those that caused Incident No. 148053:
    - i. Modified the Distributed Control System logic to change the boiler feed water auto start strategy to 90% of the boiler feed water controller output;
    - ii. Modified the calculation blocks to show the boiler feed water pump capabilities which, in turn, more accurately reflects the spare capacity; and
    - iii. Refurbished and calibrated the boiler feed water valve for full stroke.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.

11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## **II. ALLEGATIONS**

As owner and operator of the Plant, the Respondent is alleged to have:

1. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), Federal Operating Permit No. O-01320, Special Conditions No. 15, New Source Review Permit No. 5972A, Special Conditions No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on December 17, 2010. Specifically, unauthorized emissions of 121 pounds ("lbs") of the volatile organic compound ("VOC") ethylene and 9 lbs of ethylene glycol were released from the F4 Incinerator Waste Gas Vent and 26 lbs of ethylene oxide were released from the F4 Reabsorber Vent in the F4 Ethylene Oxide Unit when an operator closed the valves that send material from the reabsorber to the refining column to 18% instead of 35% resulting in an avoidable emissions event (Incident No. 144824) that occurred on September 14, 2010 and lasted 22 minutes. Since this event could have been avoided by better operational practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.
2. Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c) and 122.143(4), Federal Operating Permit No. O-02288, Special Conditions No. 19, New Source Review Permit No. 19823, Special Conditions No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on January 5, 2011. Specifically, unauthorized emissions of 1,286.94 lbs of the VOC ethylene and 43.75 lbs of carbon monoxide were released from Flare 3, Emissions Point Number UER037, in the A3 Ethylene Unit when house console operators mistakenly shut down Boiler HK-003 while attempting to bring Boiler HK-004 on-line resulting in an avoidable emissions event (Incident No. 148053) that occurred on December 1, 2010 and lasted one hour and 50 minutes. Since this event could have been avoided by better operational practices, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

## **III. DENIALS**

The Respondent generally denies each allegation in Section II ("Allegations").

#### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Huntsman Petrochemical LLC, Docket No. 2011-0358-AIR-E" to:  
  
Financial Administration Division, Revenues Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088
2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Eight Thousand Dollars (\$8,000) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1)



enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

7. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

## SIGNATURE PAGE

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

Jordan Morgan  
For the Executive Director

6/17/2011  
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Jordan Morgan  
Signature

4-12-11  
Date

JORDAN MORGAN  
Name (Printed or typed)  
Authorized Representative of  
Huntsman Petrochemical LLC

Dir of Mfg, PNIP  
Title

**Instructions:** Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

Attachment A  
Docket Number: 2011-0358-AIR-E

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>Huntsman Petrochemical LLC</b>
<b>Penalty Amount:</b>	<b>Sixteen Thousand Dollars (\$16,000)</b>
<b>SEP Offset Amount:</b>	<b>Eight Thousand Dollars (\$8,000)</b>
<b>Type of SEP:</b>	<b>Contribution to Pre- Approved SEP</b>
<b>Third-Party Recipient:</b>	<b>Texas Air Research Center</b>
<b>Project Name:</b>	<b>Flare Minimization and Air Quality Modeling</b>
<b>Location of SEP:</b>	<b>Jefferson County</b>

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

**1. Project Description**

**A. Project**

Respondent shall contribute the SEP Offset Amount to the Third-Party Recipient named above. The contribution will be to **Texas Air Research Center** for the *Flare Minimization and Air Quality Modeling* project. The contribution will be used in accordance with the Supplemental Environmental Project executed on October 30, 2009, between the Third-Party Recipient and the TCEQ (the "Project"). Specifically, the SEP Offset Amount will be used for advanced modeling involving utilizing optimization and plant-wide dynamic simulation to cause reductions in flaring during turnaround operations at industrial facilities. Flaring during turnaround operations (startups and shutdowns) at industrial facilities is a substantial source of both volatile organic compounds (VOCs) and highly reactive volatile organic compounds (HRVOCs), and flaring results in considerable loss of energy and resources. Reductions in VOC and HRVOC emissions are expected to occur primarily through reducing the duration of turnarounds and through recycling or reuse of materials that would otherwise be flared.

All dollars contributed will be used solely for the direct cost of the Project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

Respondent's signature affixed to this Agreed Order certifies that it has no prior commitment to make this contribution and that it is being contributed solely in an effort

to settle this enforcement action. Respondent shall not profit in any manner from this SEP.

**B. Environmental Benefit**

This SEP will directly benefit the environment by reducing emissions into the airshed, thereby improving air quality for the community. This SEP will indirectly benefit the environment by conserving energy and resources through reuse and recycling. The SEP will provide information regarding potential viable air emission reductions strategies that will result in improvement of air quality. This SEP will also provide scientific insights regarding how emissions and meteorological conditions affect the air quality in the airshed.

**C. Minimum Expenditure**

Respondent shall contribute at least the SEP Offset Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

**2. Performance Schedule**

Within 30 days after the effective date of this Agreed Order, Respondent must contribute the SEP Offset Amount to the Third-Party Recipient. Respondent shall mail a copy of the Agreed Order with the contribution to:

Texas Air Research Center at Lamar University  
Attention: George Talbert, Director  
P.O. Box 10613  
Beaumont, Texas 77710

**3. Records and Reporting**

Concurrent with the payment of the SEP Offset Amount, Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Recipient. Respondent shall mail a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality  
Enforcement Division  
Attention: SEP Coordinator, MC 219  
P.O. Box 13087  
Austin, Texas 78711-3087

#### **4. Failure to Fully Perform**

If Respondent does not perform its obligations under this SEP in any way, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the Executive Director ("ED") may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that Respondent failed to complete the project, Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and shall include on the check the docket number of this Agreed Order and a note that it is for reimbursement of a SEP. Respondent shall make the check payable to "Texas Commission on Environmental Quality" and shall mail it to:

Texas Commission on Environmental Quality  
Litigation Division  
Attention: SEP Coordinator, MC 175  
P.O. Box 13087  
Austin, Texas 78711-3087

#### **5. Publicity**

Any public statements concerning this SEP and/or project, made by or on behalf of Respondent must include a clear statement that **the project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

#### **6. Clean Texas Program**

Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

#### **7. Other SEPs by TCEQ or Other Agencies**

The SEP Offset Amount identified in this Agreed Order has not been, and shall not be, included as a SEP for Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

